

The opinion in support of the decision being
entered today is not binding precedent of the Board.

Paper ¹⁴

Filed by: Interference Trial Section Motions Panel
Box Interference
Washington, D.C. 20231
Tel: 703-308-9797
Fax: 703-305-0942

Filed:
26 September 2001

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE BOARD OF PATENT APPEALS
AND INTERFERENCES

MARK SKOWRONSKI,

Junior Party,
(Patent 5,811,201),

v.

MICHAEL S. HSU and ETHAN D. HOAG,

Senior Party,
(Application 09/352,093).

Patent Interference No. 104,561

FAXED

SEP 26 2001

**PAT. & T.M. OFFICE
BOARD OF PATENT APPEALS
AND INTERFERENCES**

Before: SCHAFER, TORCZON and SPIEGEL, Administrative Patent Judges.

SCHAFER, Administrative Patent Judge.

JUDGMENT PURSUANT TO 37 CFR § 1.662

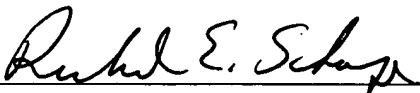
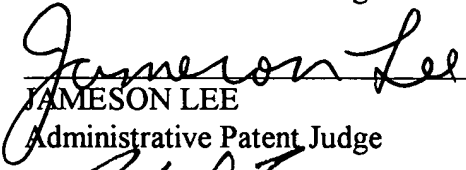

Skowronski has filed a request for entry of an adverse judgment under 37 CFR § 1.662(a).
Paper 44. Accordingly, it is

ORDERED that judgment on priority as to the subject matter of Count 1 (Paper 1, p.5), is
awarded against the junior party, MARK SKOWRONSKI;

FURTHER ORDERED that junior party, MARK SKOWRONSKI, is not entitled to a patent
containing claims 10-13 (corresponding to Count 1) of U.S. Patent 5,811,201;

FURTHER ORDERED that if there be a settlement agreement that has not been previously filed, the parties are advised of the requirement to file a copy of the agreement (35 U.S.C. § 135(c)); and

FURTHER ORDERED that a copy of this judgment be made of record in Application 09/352,093 and in the file history of Patent 5,811,201.

)	
RICHARD E. SCHAFER)	
Administrative Patent Judge)	
)	
JAMESON LEE)	BOARD OF PATENT
Administrative Patent Judge)	APPEALS AND
)	
RICHARD TORCZON)	INTERFERENCES
Administrative Patent Judge)	

cc (by Fax):

Attorney for SKOWRONSKI:

Steven B. Kelber, Esq.
PIPER, MARBURY, RUDNICK & WOLFE, LLP
1200 19th Street, N.W.
Washington, DC 20036
Fax: 202-223-2085

Attorney for HSU:

Anthony A. Laurentano, Esq.
LAHIVE & COCKFIELD, LLP
28 State Street
Boston, MA 02109
Fax: 617-742-4214